

**NINE-POINT CRITERIA ANALYSIS  
OF  
PROPOSED BUILDING STANDARDS  
OF THE  
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT  
REGARDING THE SENATE BILL 1801 MANDATE (STATUTES OF 2000, C.850) &  
ASSEMBLY BILL 2194 MANDATE (STATUTES OF 2000, C.841) &  
ASSEMBLY BILL 444 MANDATE (STATUTES OF 2001, C.1022) &  
ASSEMBLY BILL 832 MANDATE (STATUTES OF 2001, C.228)  
CALIFORNIA CODE OF REGULATIONS, TITLE 24,  
PARTS 1 & 2 (Building Standards Administrative Code)  
REGULATIONS FOR THE SEISMIC EVALUATION OF HOSPITALS &  
SAFETY STANDARDS FOR HEALTH FACILITIES**

Building standards submitted to the California Building Standards Commission for approval are required, by Health and Safety Code Subsection 18930(a), to be accompanied by an analysis which will, to the satisfaction of the Commission, justify their approval. The approval of these proposed building standards is justified as follows:

**1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.**

Existing law gives the responsibility to promulgate building standards for hospitals, skilled nursing facilities, intermediate care facilities, clinics and correctional treatment centers to the California Building Standards Commission. The Office has retained the authority for the development of building standards for these facilities. The proposed regulations are specific to hospitals. Since no other entity has these responsibilities or authority, the Office has concluded that no conflict, overlap or duplication will occur between existing regulations and the proposed regulations.

**2) The proposed building standards are within the parameters established by enabling legislation, and are not expressly within the exclusive jurisdiction of another agency.**

The authority and jurisdiction of the Office is validated by the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 (Alquist Act) (Health & Safety Code Division 107, Articles 1 through 7, Sections 129675 through 129998). More specifically, the Alquist Act incorporates the provisions of SB 1953 in Articles 8 and 9, Sections 130000 through 130070 and mandates that the Office develop and implement seismic evaluation and retrofit procedures for general acute care hospitals. These regulations are within the parameters of the SB 1953 (Ch. 740/94) legislation.

**3) The public interest requires the adoption of the building standards.**

The purpose of SB 1953 is to eliminate unsafe hospitals and those hospitals not reasonably capable of providing services after a seismic event. These regulations are necessary to implement these provisions that serve the public interest of life safety and continued hospital operation after a seismic event.

**4) The proposed building standards are not unreasonable, arbitrary, unfair, or capricious, in whole or in part.**

These proposed regulations were developed as a result of the legislative mandates of the Alquist Act. These regulations include the seismic evaluation procedure building standards and which general acute care hospital facilities must comply with when seismically evaluating older hospital buildings. Under these regulations, all general acute care hospital owners are responsible for preparing and submitting a compliance plan and schedule to the Office by a specified date for review and approval. These regulations also include seismic standards for building egress and utilities /system design for the California Building Standards Code.

**5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.**

The purpose of these regulations is to ensure that by January 1, 2030, all licensed general acute care hospitals in California are compliant with the Alquist Act and will be reasonably capable of providing services to the public after a seismic event. The Office has made every attempt to balance the safety aspects of the requirements with the cost of retrofit or new construction. However, many of the provisions and timeline for hospital compliance are established in the law and are not subject to the Office's discretion.

**6) The proposed building standards are not unnecessarily ambiguous or vague, in whole or in part.**

The Office has made revisions to these regulations to clarify vague and ambiguous language and therefore does not believe the regulations are unnecessarily ambiguous or vague either in whole or in part.

**7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.**

Where applicable, the proposed regulations represent a compilation of model code, federal specifications, and nationally published standards designed to accomplish the mandate of SB 1953 (Ch. 740/94).

**8) The format of the proposed building standards is consistent with that adopted by the Commission.**

The format of these proposed regulations is consistent with that adopted by the CBSC and complies with the requirements of the California Building Standards Law and administrative regulations.

**9) The proposed building standards, if they promote fire and panic safety as determined by the State Fire Marshal, have the written approval of the State Fire Marshal.**

The proposed regulations have been sent to the State Fire Marshall for review.